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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,009	05/22/2007	Hiroo Sekiya	101188-88	4668

27387 7590 01/11/2008
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NEW YORK, NY 10022

EXAMINER

LIN, SUN J

ART UNIT	PAPER NUMBER
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2825

MAIL DATE	DELIVERY MODE
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01/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/597,009	SEKIYA ET AL.	
	Examiner	Art Unit	
	Sun J. Lin	2825	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/06/2006 and 05/22/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/6/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to application 10/597,009 initially filed on 07/06/2006 and completely filed on 05/22/2007. Claims 1 – 9 remain pending in the application.

Arrangement of the Specification

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections *in order*. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Specification Objections

3. The specification is objected to because of the following informalities:

Missing term(s) in lines listed below:

Page 3, line 4, line 14 and line 15.

Page 4, line 2 and line 6.

Page 5, line 2, line 3, line 4, line 9, line 12 and line 13.

Page 6, line 11, line 12, line 13 and line 14.

Page 7, line 1, line 3 and line 20.

Page 10, line 1, line 2, line 3, line 9, line 10, line 16 and line 25.

Page 11, line 11 and line 15.

Delete the following lines:

Page 12, line 26 and line 27.

Page 13, line 1 and line 2.

Appropriate correction is required.

Drawing Objections

4. Drawing(s) are objected to because of following informalities:

Fig. 2 should be labeled as a —(PRIOR ART)—.

Appropriate correction is required.

Claim Objections

5. Claims listed below are objected to because of the following informalities:

Claim 1, line 2, change "the Newton method" to **—a Newton method—**.

Claim 1, line 2 – 3, change "the Jacobi matrix" to **—a Jacobi matrix—**.

Claim 1, line 4, change "program describing" to **—program, that describes—**.

Claim 1, line 4, before "calculation equation" insert **—iterative—**.

Claim 1, line 5, change "that is" to **—which is—**.

Claim 1, line 5, change "Jacobi matrix is used" to **—Jacobi matrix, is used—**.

Claim 1, line 6, delete **—as an object of the partial differentiation—**.

Claim 2, line 2, change "the calculation" to **—a calculation—**.

Claim 3, line 2, change "are provided" to **—is provided—**.

Claim 4, line 2, change "the Newton method" to **—a Newton method—**.

Claim 4, line 2, change "the Jacobi matrix" to **—a Jacobi matrix—**.

Claim 4, line 4, change "program describing" to **—program, that describes—**.
Claim 4, line 4, before "calculation equation" insert **—iterative—**.
Claim 4, line 5, change "that is" to **—which is—**.
Claim 4, line 5, change "Jacobi matrix is used" to **—Jacobi matrix, is used—**.
Claim 4, line 5 – 6, delete **—as an object of the partial differentiation—**.
Claim 5, line 2, change "the calculation" to **—a calculation—**.
Claim 6, line 2, change "are provided" to **—is provided—**.
Claim 7, line 2, change "the Newton method" to **—a Newton method—**.
Claim 7, line 2, change "the Jacobi matrix" to **—a Jacobi matrix—**.
Claim 7, line 4, before "calculation equation" insert **—iterative—**.
Claim 7, line 4, change "in which" to **—uses—**.
Claim 7, line 4, change "is substituted for" to **—to substitute—**.
Claim 7, line 5, change "that is" to **—which is—**.
Claim 7, line 5, delete **—is used—**.
Claim 7, line 5 – 6, delete **—as an object of the partial differentiation—**.
Claim 8, line 2, change "the calculation" to **—a calculation—**.
Claim 9, line 2, change "are provided" to **—is provided—**.

Appropriate correction is required.

Specification/Claim Objections

6. The disclosure is objected to under 37 CFR 1.71, as being so incomprehensible as to preclude a reasonable search of the prior art by the examiner. Also, many key terms are missing in many places in the specification, which make it very difficult for the Examiner to fully understand the specification thereby to evaluate applicability and usefulness of applications claimed invention.

Applicants are requested to submit an amendment, which clarifies the disclosure so that the examiner may make a proper comparison of the invention with the prior art.

Applicants should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).

A shortened statutory period for reply to this action is set to expire ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this letter.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Sun James Lin* whose telephone number is (571) 272 - 1899. The examiner can normally be reached on Monday-Friday 9:30AM - 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Chiang* can be reached on (571) 272 - 7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (in USA or CANADA) or 571-272-1000.

All responses to this Office Action should be mailed to **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450** or faxed to **571-273-8300**.

Sun James Lin
Primary Examiner
Art Unit 2825


SUN JAMES LIN
PRIMARY EXAMINER